IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

OP.No. 643 of 2002(B)

PETITIONER:

B.H.MUMMI,RAHAT MANZIL,VENNALA P.O., ERNAKULAM.

BY ADV. SRI.V.B.UNNIRAJ

RESPONDENTS:
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1. **STATE OF KERALA,GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,REPRESENTED BY ITS CHIEF SECRETARY**

2. **ADDITIONAL SALES TAX OFFICER,1ST CIRCLE, KALAMASSERY.**

3. **THE DEPUTY TAHSILDAR (RR),KANAYANNUR TALUK,ERNAKULAM.**

BY GOVERNMENT PLEADER SRI.MUHAMMED RAFIQ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 12/03/2007, ALONG WITH OP NO. 744 OF 2002 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.1043/2002 IN OP. NO.643/2002

DISMISSED

12.03.2007 **SD/- K.BALAKRISHNAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER DT.25.11.88.

EXT.P2:- COPY OF THE NOTICE DT.27.12.01.

/TRUE COPT/

tss

K.BALAKRISHNAN NAIR, J.

O.P. NOS. 643 & 744/2002

JUDGMENT

The point raised by the petitioners in these Original Petitions is covered in their favour by the decision of this Court in O.P.No.38763/2001. Accordingly, it is ordered that the provisions of Section 26C cannot be invoked against the petitioner.

The Original Petitions are disposed of as above.

12th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/

K.BALAKRISHNAN NAIR,J.

O.P.NOS.643 & 744/2002

JUDGMENT

12.3.2007.